

# Attorney Client / Ex. 5

-----Original Message-----

From: Toth, Karen@DTSC [mailto:Karen.Toth@dtsc.ca.gov]

Sent: Wednesday, January 15, 2014 5:03 PM

To: Robinson, Derek J CIV NAVFACHQ, BRAC PMO; Forman, Keith S CIV NAVFACHQ, BRAC PMO; Sunga, Remedios@DTSC

Cc: Tran, Xuan-Mai; West, John@waterboards; Fyfe, James@DTSC; Peter Russell; Carr, Robert; Norman, Marvin D CIV WEST Counsel; Alasti, Isabella@DTSC; Austin, Tamarin@waterboards; Elias, David@waterboards; Naugle, Alec@waterboards; Lichens, Christopher; Chesnutt, John; Megliola, Anthony M CIV NAVFACHQ, BRAC PMO; Hill, John M CIV NAVFACHQ, BRAC PMO; Lord, Jacques P CTR NAVFACHQ, BRAC PMO

Subject: RE: Sediments from TI

Thank you for your response.

Medi is out of the office until next week, so I would appreciate it if Keith could forward me the data for all the stockpiles of dredge material at Alameda.

I also need a figure showing the locations of the piles and which samples go to each.

If the material which fails the California Haz Waste Criteria was taken from TI, unloaded at Alameda, dewatered (treated) on Alameda and is being stored on the Former Alameda Naval Air Station (not on Treasure Island), then this may trigger more than "generator" type requirements.

I have looked at the RAIWP and I do not believe the "work plan" addresses my questions, since it basically assumes that everything would be non-hazardous (but maybe someone can excerpt out or point me to the section on the specifics of compliance with the Haz waste off-site treatment & storage issues as it relates to stuff from TI being handled at Alameda).

Karen  
510.540.3834

-----Original Message-----

From: Robinson, Derek J CIV NAVFACHQ, BRAC PMO [mailto:derek.j.robinson1@navy.mil]

Sent: Wednesday, January 15, 2014 3:05 PM

To: Toth, Karen@DTSC; Forman, Keith S CIV NAVFACHQ, BRAC PMO; Sunga, Remedios@DTSC

Cc: Tran, Xuan-Mai; West, John@waterboards; Fyfe, James@DTSC; Peter Russell; Carr, Robert; Norman, Marvin D CIV WEST Counsel; Alasti, Isabella@DTSC; Austin, Tamarin@waterboards; Elias, David@waterboards; Naugle,

Alec@Waterboards; Christopher Lichens (lichens.christopher@epa.gov); Chesnutt, John (Chesnutt.John@epa.gov); Megliola, Anthony M CIV NAVFACHQ, BRAC PMO; Hill, John M CIV NAVFACHQ, BRAC PMO; Lord, Jacques P CTR NAVFACHQ, BRAC PMO  
Subject: RE: Sediments from TI

Hello Ms. Toth,

Thank you for your request and questions. I have received them and forwarded on to the appropriate Navy people.

The Treasure Island (TI) team is in a BCT meeting today and not available at present. I was able to touch base with the team this morning and it is my understanding that Ms. Remedios Sunga (TI DTSC representative) has already been given the data. I have included Keith Forman (Navy TI BEC) and Ms. Sunga on this email and assume one of them will send you the requested information. I expect that Ms. Sunga would also have a copy of the work plan, which I believe will answer many of your questions.

As far as Alameda Site 1 goes, we will not be accepting soil that has failed the Site 1 fill material criteria. Soil that is not accepted will be handled and disposed of in accordance with the TI project work plan.

Best Regards,

Derek J. Robinson, PE  
BRAC Environmental Coordinator  
NAVFAC HQ, BRAC PMO  
1455 Frazee Road; Suite 900  
San Diego, CA 92108  
(619) 532-0951

-----Original Message-----

From: Toth, Karen@DTSC [mailto:Karen.Toth@dtsc.ca.gov]  
Sent: Wednesday, January 15, 2014 11:30 AM  
To: Robinson, Derek J CIV NAVFACHQ, BRAC PMO; Lord, Jacques P CTR NAVFACHQ, BRAC PMO  
Cc: Tran, Xuan-Mai; West, John@Waterboards; Fyfe, James@DTSC; Peter Russell; Carr, Robert; Norman, Marvin D CIV WEST Counsel; Alasti, Isabella@DTSC; Austin, Tamarin@Waterboards; Elias, David@Waterboards; Naugle, Alec@Waterboards; Christopher Lichens (lichens.christopher@epa.gov); Chesnutt, John (Chesnutt.John@epa.gov)  
Subject: Sediments from TI

Derek/Jacques

It is my understanding that you have received data from stockpile sampling at Alameda which indicates that some of the sediment would be classified as a California Hazardous Waste.

Please immediately provide DTSC with copies of the data.

Please also describe how these stockpiles are being managed. How are they contained, how is runoff being managed, etc.

Also, I need to understand how you are planning on complying with California Health & Safety Code, Division 20, Chapter 6.5 which is California's Hazardous Waste Control Law and Title 22 Social Security, Division 4.5, Environmental Health Standards for the Management of Hazardous Waste.

Karen Toth, P.E., Unit Chief  
Department of Toxic Substances Control  
Brownfields and Environmental Restoration Program Berkeley Office  
510.540.3834